

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LYDIAN PRIVATE BANK,  
d/b/a VIRTUALBANK,

Plaintiff,

-against-

STEVEN M. LEFF, RICHARD A. LEFF,  
RACHEL M. LEFF, and NATIONAL  
SETTLEMENT AGENCY, INC.,

Defendants.

Case No.: 07 Civ. 8173 (LTS)(MHD)

ECF Case

**CLERK'S CERTIFICATE**

I, J. MICHAEL McMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on September 18, 2007 with the filing of a summons and complaint, a copy of the summons and complaint was served on:

(a) defendant National Settlement Agency, Inc. ("NSA") on September 19, 2007 by: (i) personal service on Mary Beth Huyck, an agent of the Secretary of State, of the State of New York, in accordance with New York Business Corporation Law § 306(b) and proof of such service thereof was filed on September 25, 2007; and (ii) first class mail on defendant NSA, pursuant to Fed.R.Civ.P. 4(h)(1) and New York Civil Practice Law and Rules § 3215(g)(4); and

(b) defendant Steven M. Leff on September 19, 2007 by service upon Michael L. Soshnick, attorney for defendant Steven M. Leff, who agreed to accept

service on defendant Steven M. Leff's behalf, and proof of such service thereof was filed on September 28, 2007.

I further certify that the docket entries indicate that defendants NSA and Steven M. Leff have not filed an answer or otherwise moved with respect to the complaint herein. The defaults of defendants NSA and Steven M. Leff are hereby noted.

Dated: New York, New York  
November \_\_, 2007

**J. MICHAEL MCMAHON**  
Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk